



FACTS ABOUT

Statewide Initiative Implementing the Trial Court Interpreter Employment and Labor Relations Act (SB 371)

Overview

To ensure equal access to justice for witnesses, victims, and defendants in criminal and juvenile cases who understand little or no English, California courts are required to retain specially trained interpreters. Beginning in 2003, the courts will extend offers of employment to qualified interpreters under the Trial Court Interpreter Employment and Labor Relations Act (SB 371). Certified and registered interpreters who previously have worked for the courts as independent contractors will be eligible for employment as court interpreters pro tempore, as detailed below.

The AOC Human Resources (HR) Division's Court Interpreters Program (CIP) unit coordinates the statewide court interpreter program on behalf of the Judicial Council and is assisting all the trial courts in implementing the new law.

Milestones and Future Directions

September 2002. Governor Davis signed the Trial Court Interpreter Employment and Labor Relations Act (SB 371). The CIP unit coordinated the SB 371 Implementation Administrative Working Group (SB 371 IAWG) — comprised of judges, court executives, and interpreters — to execute the requirements of the new law.

October 2002. The CIP unit:

- Presented an overview of SB 371 to the Court Executives and Trial Court Presiding Judges Advisory Committees at their fall issues meeting in San Francisco. AOC staff from CIP, the Office of the General Counsel, and the HR Division's Labor and Employee Relations Unit conducted two workshops and answered questions on specific subject areas and impacts of SB 371.
- Presented an overview of SB 371 to the Judicial Council, highlighting both opportunities and challenges to the trial courts and court interpreters created by this legislation.
- Presented an overview of SB 371 at several Regional Labor Relations Forums held for the AOC Bay Area/Northern Coastal Region, Northern/Central Region, and Southern Region.

December 2002. The CIP unit hosted a series of informational teleconferences with trial court HR professionals to introduce topics related to interpreter usage and the impact of SB 371.

January 2003. The CIP unit held Fast Track training across the state for HR professionals and interpreter coordinators to provide a practical explanation of what trial courts must do in order to meet May 2003 deadlines regarding SB 371. The CIP unit also hosted an open forum for court interpreters (in conjunction with an SB 371 IAWG meeting) in Costa Mesa to gather interpreter input and better understand concerns.

February 2003. The CIP unit will expand outreach to interpreters, in order to help prepare them for making decisions regarding employment with trial courts. Planned efforts include: an expanded section of the California Courts Web site (www.courtinfo.ca.gov/programs/courtinterpreters/) specifically addressing SB 371 (through fact sheets, frequently asked questions, copies of application documents/policies, etc.); a dedicated e-mail address for SB 371 questions; and open forums across the state (focusing on interpreter-oriented issues such as the application process, assignment rules, etc.).

Mandated Actions and Deadlines

The CIP unit is focusing on helping meet the following requirements of SB 371:

By **March 1, 2003**, trial courts must:

- Determine the eligibility of interpreters for employment as “court interpreter pro tempore” (pro tem); and
- Specify whether court interpreters pro tem will be required to perform cross-assignments and how cross-assignments will be compensated.

Before **April 1, 2003**, the Judicial Council must establish four Regional Employee Relations Committees (RCIERCs).

By **May 1, 2003**, the RCIERCs must adopt baseline employment terms and conditions for court interpreters pro tem. Trial courts must also offer employment as court interpreter pro tem to eligible court interpreters.

By **July 1, 2003**, trial courts must:

- Determine the circumstances under which a court interpreter pro tem may refuse assignments;
- Determine an assignment process that does not give independent contractors more favorable assignments or working conditions than court interpreters pro tem;
- Coordinate with the Regional Court Interpreter Employee Relations Committees (RCIERC) to determine under what circumstances an out-of-court assignment can be construed as interfering with the duties of a court interpreter pro tem’s duties;
- Identify which independent contractors are eligible to continue working in the courts; and
- Decide how to track the number of days independent contractors are used after July 1, 2003.

Implementation Administrative Working Group:

Mr. Alan Slater, co-chair	Mr. Gregory Drapac	Mr. Eric Pulido
Ms. Susan M. Hough, co-chair	Mr. Mark Garcia	Dr. Alexander Rainof
Ms. Mary Lou Aranguren	Mr. Scott Gardner	Mr. Charles Ramey
Ms. Judy Arasé	Mr. José Guillén	Ms. Lori Rodekohr
Ms. Tamara Beard	Ms. Maryann Hurst	Mr. Paul Runyon
Mr. Charles Brown	Mr. Lorenzo Hurtado	Mr. Curt Soderlund
Ms. Mary Majich Davis	Mr. Darrell Parker	Ms. Mary Beth Todd
Hon. Donal B. Donnelly	Ms. Christine Patton	Mr. Michael A. Tozzi

AOC Contacts:

Ricardo Beacon, Manager	415-865-7759
Chris Kingery, SB 371 Implementation Project Manager	415-865-7631
Debbie Chong-Manguiat, Administrative Coordinator	415-865-6596
Carla Green, Administrative Coordinator	415-865-7599